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PATENT
Attorney Docket No.: A-58631-5 RFT/THR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHRISTIAN et al.

Serial No.: 09/991,262

Filed: November 20, 2001

For: *Insect Viruses and their Uses in
Protecting Plants*

Group No. 1638

Examiner: A. Mehta

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop PETITION
Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on:

Date: July 28, 2004

Signature: Traci Ropp
Traci Ropp

***PETITION UNDER 37 CFR §1.78(a)(3)
TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM UNDER 35 U.S.C. § 120
FOR THE BENEFIT OF A PRIOR FILED NON-PROVISIONAL APPLICATION***

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby Petition to accept a delayed claim under 35 U.S.C. §120. The instant application, U.S. Serial Number 09/991,262 is a continuation United States Serial Number 09/234,238, filed January 20, 1999, now abandoned, which is a continuation of United States Serial Number 08/440,522, filed May 12, 1995, now abandoned, which is a continuation-in-part of United States Serial Number 08/089,372, filed July 8, 1993, now abandoned, which claims benefit of the filing date of Australian Provisional Application Serial Number PL 4801 filed on August 14, 1992.

This petition is accompanied by an amendment to add a reference in the application to the priority applications, as required by 37 CFR §1.78(a)(2).

The petition is further accompanied by a check for the necessary surcharge set forth in 37 CFR §1.17(t), \$1,300.

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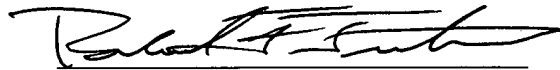
The entire delay between the date a correct priority claim was due under 37 CFR §1.78(a)(2) and the filing of this petition was unintentional.

While Applicant believes that no further fees are due at this time, the Commissioner is authorized to charge any fees that may be due as a result of filing this amendment, including additional claims fees not already paid for, or other fees that have not been separately paid, to Deposit Account 50-2319 (Our Order No.: 466272-14/A-58631-5/RFT/THR).

Dated: July 28, 2004

Respectfully submitted,

DORSEY & WHITNEY LLP



Richard F. Trecartin, Reg. No. 31,801
Filed Under 37 C.F.R. § 1.34(a)

Customer No. 32940

Four Embarcadero Center, Suite 3400
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Traci Ropp
Traci Ropp

AMENDMENT

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This amendment is submitted in connection with a Petition under 37 CFR §1.78(a)(3) to Accept an Unintentionally Delayed Claim under U.S.C. §120 for the Benefit of a Prior Filed Non-Provisional Application. The Commissioner is authorized to charge any additional fees, including any extension fees, which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No.: 466272-14/A-58631-5/RFT/THR).

Please amend the above- captioned application as follows:

Amendments to the Specification begin on page 2 of this paper.

Remarks begin on page 3 of this paper.

AMENDMENTS TO THE SPECIFICATION

Please replace the paragraph beginning on page 1 with the following rewritten paragraph:

--This application is a continuation of ~~application Serial No.~~ United States Serial Number 09/234,238 filed January 20, 1999, now abandoned, which is a continuation of United States Serial Number 08/440,522, filed May 12, 1995, now abandoned, which is a continuation-in-part of United States Serial Number 08/089,372, filed July 8, 1993, now abandoned, which claims the benefit of the filing date of Australian Provisional Application Serial Number PL 4801 filed on August 14, 1992. --

REMARKS

This Amendment, along with the Petition under 37 CFR §1.78(a)(3) to Accept an Unintentionally Delayed Claim under U.S.C. §120 for the Benefit of a Prior Filed Non-Provisional Application submitted herewith, serves to correct the claim of priority in the instant application. Entry of this amendment is respectfully requested.

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Dated: July 28, 2004

Respectfully submitted,

DORSEY & WHITNEY LLP



Richard F. Trecartin, Reg. No. 31,801
Filed Under 37 C.F.R. § 1.34(a)

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